

Application No.: 09/547,563  
Reissue of U.S. Patent 5,743,046  
Attorney Docket No. 68410

**REMARKS**

Claims 1-9 and 16 are pending in the present application. Claims 1-9 and 16 stand rejected as being based upon a defective reissue declaration under 35 U.S.C. §251. The Office Action identifies two defects in the reissue declaration submitted on July 12, 2000: (1) the failure to contain the statement required under 37 C.F.R. §1.175(a)(1) as to Applicants' belief that the original patent is wholly or partly inoperative or invalid and (2) the failure to list the specific differences between the new claims and the patented claims. Consistent with 37 C.F.R. §1.175 and M.P.E.P. §1414, the Office Action states that Applicants need only discuss one error (difference) in detail to satisfy the second requirement.

Accordingly, Applicants submit herewith a new Reissue Declaration to cure the above-noted defects in the previously filed declaration. The enclosed new Reissue Declaration contains both the required statement that Applicants believe the original patent to be wholly or partly inoperative or invalid by reason of the patentee claiming less than patentee had a right to claim in the patent and the identification of at least one error upon which reissue is based.

More specifically, the new Reissue Declaration identifies the at least one error upon which reissue is based to be that Applicants believe that the sole independent Claim 1 of the original patent is too narrow in that it refers to:

a pivotable arm mounted in proximity with the jack shaft and engaging the pull-up cable, said pivotable arm including a member for engaging the pull-up cable and holding it in tension, and means for engaging the jack shaft to prevent further jack shaft rotation when the pull-up cable becomes slack;

and the invention more broadly encompasses "a pivotable arm mounted in proximity with the jack shaft and engaging the pull-up cable, said pivotable arm including a member for engaging the pull-up cable and holding it in tension." Further, the new Reissue Declaration identifies the difference between the new claims and the patented claims by stating that new independent Claim 5 mirrors

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independent Claim 1 except that it does not refer to "means for engaging the jack shaft to prevent further jack shaft rotation when the pull-up cable becomes slack," and that new claims 6-9 and 16 depend therefrom.

Accordingly, there being no other objections or rejections of the claims, Applicants respectfully submit that claims 1-9 and 16 are allowable.

The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§ 1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1135.

Respectfully submitted,

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